

**LOCAL BANKRUPTCY FORM 3007-1****IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA****IN RE:**

GARY WASZCYSZAK	:	<b>CHAPTER</b> <u>13</u>
	:	
	:	
	:	<b>CASE NO.</b> <u>5-19-bk-02633</u>
	:	
	:	
<b>Debtor(s)</b>	:	
GARY WASZCYSZAK	:	
	:	
	:	
	:	
<b>Objector</b>	:	
v.	:	
RHINEBECK BANK	:	
	:	
	:	
	:	
<b>Claimant</b>	:	
	:	

**TO:** RHINEBECK BANK ("Claimant")

**NOTICE OF OBJECTION TO CLAIM AND HEARING DATE**

GARY WASZCYSZAK filed an objection to the proof of claim you filed in this bankruptcy case.

**Your claim may be reduced, modified, or eliminated. You should read this notice and the objection carefully and discuss them with your attorney, if you have one.**

If you do not want the court to eliminate or change your claim, you or your lawyer must attend the hearing on the objection, scheduled to be held:

Max Rosenn US Courthouse, 197 S Main St, Courtroom #2 Wilkes-Barre, PA 18701	<b>Date:</b> <u>11/22/2019</u>  <b>Time:</b> <u>09:30</u>
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**If you or your attorney do not attend the hearing on the objection, the court may decide that you do not oppose the objection to your claim.**

Mark E. Moulton

Attorney for Objector

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Date of Notice: 10/21/2019

UNITED STATES BANKRUPTCY COURT FOR  
THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE : CHAPTER 13  
GARY WASZCYSZAK : CASE NO.: 5-19-bk-02633-RNO  
Debtor :  
VS. : OBJECTION TO CLAIM # 3  
RHINEBECK BANK :  
Claimant :  
:

**DEBTOR'S OBJECTION TO CLAIM # 3 OF RHINEBECK BANK**

AND NOW, comes Debtor, by and through undersigned counsel Mark E. Moulton, and files this Objection to Claim Number 3 filed by Rhinebeck Bank for the following reason(s):

1. The Proof of Claim filed by Rhinebeck Bank is for a car which filer repossessed pre petition and is believed to have sold for value.
2. The filer had control of the Sale and did not obtain full nor fair value for the repossessed asset.
3. The filer has not credited any funds obtained from the sale as against the claim.

WHEREFORE, Debtor humbly requests your Honourable Court to find that Claim # 3 filed by Rhinebeck Bank was filed for an improper amount and then to strike the claim.

Respectfully submitted,

BY: /s/ Mark E. Moulton  
Attorney for Debtor

**CERTIFICATE OF SERVICE**

AND NOW, this 21<sup>st</sup> day of October 2019, I, Mark E. Moulton, hereby certify that I served a copy of this Objection either electronically or by depositing the same in the United States Mail, at Hawley, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Corbally. Gartland and  
Rappleyea. LLP  
35 Market Street  
Poughkeepsie NY 12601

Charles DeHart III. Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

/s/ Mark E. Moulton  
For Debtor